

**BEST AVAILABLE COPY**

In re Patent Application of  
Deutsch et al.  
Serial No. 10/714,246  
Filed November 14, 2003

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**In the specification:**

Please substitute the following amended text for the paragraph beginning on page 6, line 26, through page 7, line 9. The amendment includes no new matter and merely corrects typographical errors, as further discussed in the remarks below. As required, deleted language is shown struck through and added language is shown underlined.

A preferred embodiment of the invention is shown in FIGS. 1-3 and 5, wherein the lighted whistle includes a motion sensitive switch which has a first contact electrically connected to a pole of the power source. The power source or sources and the remaining electrical components are preferably positioned in a compartment separated from the whistle's inner cavity 18 and spaced apart from the whistle's mouthpiece 14. A cap 36, which is preferably matingly threaded with the remaining portion of the whistle housing 12, closes off the compartment wherein the electrical components are positioned. A coil spring 38 or other biasing member is positioned between the cap ~~38~~ 36 and the ~~power~~ power source(s) 20 and urges the batteries into the switch for closing an electrical contact when the cap is sufficiently tightened onto the whistle housing. This is, of course, in a manually operable switch embodiment of the invention as shown in FIGS. 1-3, wherein the switch is operated by tightening the cap onto the batteries.